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MILLION EARNED ON PAROLE

and the person whose sentence is suspended as the employer regularly provided in these rules heretofore.

R. H. G.

Executive Clemency.—Lieut. Gov. McDermott, when he was the acting Chief Executive of Kentucky took, within the past summer, an admirable stand on the question of pardons. In an interview he is quoted as saying:

"It is not proper for the Governor to overrule the verdict of his jury, merely because he would have rendered a different verdict if he had tried the case. He should interfere with such a verdict only when he is convinced by the record that a fair trial has not been had, or that the verdict is flagrantly against the evidence, or that evidence, discovered since the trial, clearly shows a mistake or a judgment, though correct according to general legal rules, is nevertheless inequitable or wrong by reason of special or exceptional features.

"It is so important to the state that the carrying of concealed deadly weapons should be discouraged, and that manslaughter should be diminished by a strict enforcement of the law against murder or manslaughter, that I cannot give my consent to set aside a judgment where the punishment has not been excessive.

"It is hard to resist the appeal for mercy by the convicted man and his family or friends, but there has been much complaint of the courts for failure to convict a person guilty of manslaughter or murder, and, when a jury and a court have convicted the accused after hearing the evidence, the duty of upholding the courts and the law for the protection of life and property must rest heavily upon the Chief Executive of the state.

"The pardoning power allowed to the Governor by the Constitution imposes upon him a grave duty under his oath of office. I feel the weight of that obligation, and I cannot lightly ignore or weakly discharge it, merely at the prompting of sympathy or at the request of the friends and family of the man condemned by the court and the jury."

From the *Courier-Journal*, Louisville, July 24, 1912.

Million Earned by Men Out on Parole.—"State Parole Officer Ed. H. Whyte, in his monthly report to the California state board of prison directors, has submitted some forceful figures to support the theory of parole. He finds that 1,197 men paroled from San Quentin earned \$748,679.85, and saved out of that amount a total of \$190,499.12. A total of 400 men paroled from Folsom earned \$254,524.02 and saved \$60,984.78. The grand total is \$1,003,203.87 earned and \$251,483.90 saved.

"A quarter of a million dollars put into bank accounts by men who were once supposed to be useless, fit only to be confined in cells and kept from the ordinary walks of life because they could not be trusted.

"Parole officer Whyte's report for the month on this same subject is illuminating, as showing the workings of the parole system, which requires of each man thus liberated a monthly report of his conduct, his cash account, his manner of earning a living, his associates.

"The earnings of all the men on parole in the month of May were \$16,848.28; their expenses were \$12,532.16; their savings, \$4,316.12. This statement refers to 465 men on parole at the beginning of the month—342 from San Quentin and 123 from Folsom. They are at work. The terms of their parole demand that they be continuously employed. Idleness breeds crime.

NEW YORK STATE COMMISSIONER OF PRISONS

"Whyte in the course of his month's work must get a report from every man under his supervision. His report tells that he has received visits at his office from 170 and has himself called on 143.

"Almost as illuminating as the record of the paroled men's wage-earning ability is the record of violations. Whyte in his report goes back to the year 1893 and shows that of the 1,637 men released on parole 1,388 'made good.' That is, 84.8 per cent. kept the faith with the prison directors and fully justified the confidence reposed in them.

"Since 1893 only 249 men violated the strict conditions of their parole—that is, entered saloons, left the state, failed to report or neglected the smaller rules set up for their own protection, as well as the safeguarding of society at large. Of this number 153 were returned to the penitentiaries. Of these 249, too, only 22 committed new crimes. That is, out of 1,637 paroled men only 22, or 1.3 per cent., went back to a life of lawlessness.

"The success of the parole law is therefore wonderfully demonstrated by a ratio of 1.3 per cent. of disappointing ones to 98.7 per cent. of men who, once gone wrong, took advantage of the opportunity to keep out of further trouble."

From *The Review*, Vol. VI., No. 8. August, 1912. R. H. G.

Seventeenth Annual Report of the New York State Commission of Prisons, 1911.—The following is abstracted from the latest prison commission report in the state of New York:

"In our report last year the relationship between probation and parole was fully discussed. Under existing law, prisoners on probation and prisoners on parole are treated as distinct classes and are under separate and independent jurisdiction. Prisoners are paroled from the Elmira and Napanoch reformatories and from the Houses of Refuge for Women by the boards of managers; and from the state prisons by the State Board of Parole. Persons are put on probation by the judges of the several courts before whom they are convicted.

"We are not recommending any new method of procedure for the parole of prisoners or for the placing of persons on probation. It has, however, seemed to this commission that the supervision over both classes after parole and after probation is practically identical; that is, the duties of the parole officer and the duties of the probation officer in relation to the person under his care are substantially the same. In the one case the officer reports to the judge, and in the other to the authorities of the prison from which the convict was released. In each case the officer has charge of a person who has been convicted of a crime, and his function is to endeavor to keep such person from committing any further offenses, to aid him toward reformation, to find him employment, to give him advice, and to report at stated periods how such person is conducting himself. A careful and personal oversight is the essential thing in both cases. It would seem, therefore, that the same officials appointed to look after persons on probation could also supervise prisoners on parole, and that it would be a matter both of economy and efficiency to have this work done by the same officials whenever practicable.

"The present conditions make it necessary that every institution paroling prisoners should have parole officers covering the entire state; and under the probation system it is necessary to have a similar corps of probation officers covering the whole state.